

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER LEE SCHWENK,  
Individually, and on Behalf of All  
Others Similarly Situated,**

**PLAINTIFF**

**v.**

**JOSEPH GARCIA,**

**CORRECTIONS SPECIAL  
APPLICATION UNIT, LLC,**

**YORK COUNTY, PENNSYLVANIA  
d/b/a YORK COUNTY PRISON,**

**JULIE WHEELER,**

**DOUG HOKE,**

**RON SMITH,**

**ADAM OGLE,**

**CLAIR DOLL,**

**and JOHN DOE and JANE DOE,  
CORRECTION OFFICERS,**

**DEFENDANTS**

**C.A. No. 1:21-CV-2079**

**JURY TRIAL DEMANDED**

*Electronically Filed Document*

**AFFIDAVIT IN SUPPORT OF REQUEST FOR AN ENTRY OF  
DEFAULT AGAINST DEFENDANTS GARCIA AND  
CORRECTIONS SPECIAL APPLICATION UNIT, LLC**

State of Pennsylvania  
County of Dauphin

Date: July 7, 2022

I, Alan E. Denenberg, Esquire, being duly sworn according to the law, state as follows:

1. I am one of the attorneys representing Plaintiffs and the class in the above-captioned action.

2. On December 13, 2021, Plaintiffs filed a Class Action Complaint against certain Defendants in the above-captioned action. [ECF 1].

3. Waiver of Summons, Notice of Lawsuit, and Complaint were sent via First Class mail to Defendant Joseph Garcia on December 15, 2021.

4. Mail for Defendant Garcia was returned unaccepted.

5. Service of the Summons and Complaint was then made on Defendants Garcia and Corrections Special Application Unit, LLC through personal service by Travis Bowers of Sweetgrass Legal Services, a Charleston, South Carolina process server on February 22, 2022. *See* a true a correct copy of the Proof of Service [ECF 35] attached hereto as “Exhibit A” and incorporated herein by reference.

6. Defendants Garcia and Corrections Special Application Unit, LLC have failed to file an Answer or otherwise respond.

7. The time within which Defendants Garcia and Corrections Special Application Unit, LLC had to answer, plead, or otherwise respond to the Complaint

has expired, and Defendants Garcia and Corrections Special Application Unit, LLC have not filed, or served Plaintiffs with, any such answer or response. Accordingly, Defendant Garcia and Corrections Special Application Unit, LLC are in default pursuant to Federal Rule of Civil Procedure 55(a).

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ *Alan E. Denenberg*

ALAN E. DENENBERG